

# EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #02/08-015:** Preliminary Determination Pursuant to the Audit of the Comptroller's Office's Equal Employment Opportunity Program from July 1, 1999 through December 31, 2001.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, the Equal Employment Practices Commission audited the Comptroller's Office's Equal Employment Opportunity Program; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, Therefore,

## **Be It Resolved,**

that pursuant to the audit of the Comptroller's Office's (CO) compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency's current EEO Policy does not include a list of the EEO professionals.
2. The agency's EEO Policy is not available in alternate formats for use by persons with disabilities.
3. Two of the agency's job advertisements did not contain the EEO tag line.
4. Although the previous EEO Officer conducted a workforce analysis and found that minorities and women were underrepresented in some CO bureaus, the agency did not take any specific action to address the findings.
5. The agency has not issued a reasonable accommodation procedure to accompany its EEO Policy Statement.
6. Although the former EEO Officer provided the eight EEO Counselors with annual in-house training, they did not attend the more extensive EEO training sessions provided by the Department of Citywide Administrative Services or Cornell University's School of

Industrial and Labor Relations (EEO Studies Program).

7. EEO professionals of both sexes were not available during parts of the audit period.
8. The EEO investigator's final report in three discrimination complaint files were addressed to individuals other than the agency head.
9. Those same complaint files do not contain copies of notification letters to the parties to the complaints.
10. The final report for one complaint was issued four months after it was filed.
11. Neither the former nor current EEO Officers maintained notes of their meetings on EEO matters with their supervisors.
12. The former EEO Officer did not devote 100% of her time to EEO matters.
13. The former EEO Officer was not involved in developing recruitment strategies and selecting recruitment media.
14. Fifty-three percent of survey respondents indicated the agency's EEO Policy Statement is not posted on agency bulletin boards.
15. The former EEO Officer did not hold regularly scheduled meetings with the EEO Counselors.

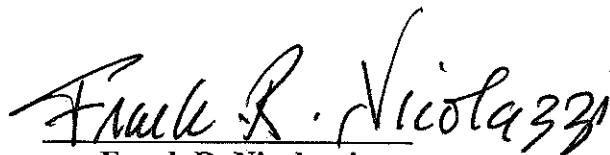
**Be It Finally Resolved,**

that the Commission authorizes the Vice-Chairman to forward a letter to the Comptroller, William C. Thompson, Jr., formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the Comptroller's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on December 11, 2002.

**Angela Cabrera**  
Commissioner

**Manuel A. Mendez**  
Commissioner

  
**Frank R. Nicolazzi**  
Vice-Chairman

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION # 03/06-015C:** Determination of implementation by the Comptroller of the City of New York of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Comptroller of the City of New York's Charter-mandated Equal Employment Opportunity Policy from July 1, 1999 to December 31, 2002.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to its audit of the Comptroller of the City of New York, New York City, also referred to as Comptroller's Office (CO), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated December 11, 2002 setting forth its findings and recommended corrective actions; and

**Whereas**, in response to EEPC's preliminary determination letter, CO submitted its response on January 7, 2003; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on February 28, 2003 identifying those recommendations accepted and rejected by CO; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the Comptroller of the City of New York for six months, from April 2003 through September 2003, to determine whether it implemented the aforementioned recommended corrective actions; and

**Whereas**, all fifteen of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy. Now Therefore,

**Be It Resolved**,  
that the Comptroller of the City of New York has implemented fourteen of the fifteen recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

**Be It Also Resolved**,  
that the Commission authorizes the Vice-Chairman to forward a Letter to the Comptroller of the City of New York, William C. Thompson, Jr., formally informing him that his office has implemented fourteen of the fifteen recommended corrective actions to the Commission's satisfaction; and

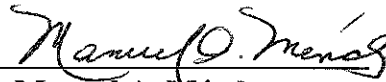
**Be It Finally Resolved,**  
that the Letter request that the Comptroller inform the Equal Employment Practices Commission in writing when the remaining six EEO Counselors complete the required EEO training.

Approved unanimously on December 11, 2003.

**Angela Cabrera**  
**Commissioner**

**C. Catherine Rimokh, Esq.**  
**Commissioner**

**Veronica Villanueva, Esq.**  
**Commissioner**



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**Manuel A. Méndez**  
**Vice-Chairman**



COMPTROLLER OF THE CITY OF NEW YORK

1 CENTRE STREET

NEW YORK, NY 10007-2341

(212) 669-3500

WILLIAM C. THOMPSON, JR.  
COMPTROLLER

To: All Staff

From: William C. Thompson, Jr. *wcth*

Date: October 2, 2003

Re: Equal Employment Practices Commission Audit

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In February 2003, the Equal Employment Practices Commission (EEPC) completed its audit of the Comptroller's Equal Employment Opportunity Program from July 1<sup>st</sup> 1999 to December 31, 2001. The EEPC made several recommendations to enhance our Equal Employment Opportunity Program. As a result, the following recommendations by the EEPC have been implemented:

- Our Equal Employment Opportunity Policy has been revised to include the name, telephone number, and location of all counselors. The Policy has been made available in audiocassette and in large print format for the benefit of employees and applicants with disabilities. We have also adopted a new request form for those individuals seeking reasonable accommodations. This information is available through our Intranet and may also be obtained by contacting Annette Hernandez, Director of Equal Employment Opportunity (EEO) at extension 2624.
- We have recruited new EEO counselors to include both genders. All counselors will receive EEO training provided by the Department of Citywide Administrative Services and will remain in regular contact with our Director of Equal Employment Opportunity.
- We are distributing to our employees an EEO informational pamphlet that includes our EEO Policy and our new reasonable accommodation request form.
- Our EEO office will continue to collect and monitor data to ensure appropriate agency recruitment strategies.

As Comptroller of the City of New York, I reaffirm my strong commitment to maintaining fair employment practices for all employees and job applicants. The Comptroller's office is also committed to preventing discrimination by ensuring that all

employees are aware of their rights and obligations and by encouraging a work environment where differences among employees are appreciated. We must all work together to maintain an atmosphere of respect for the diversity reflected in our staff.

I urge employees to access the many resources within the Comptroller's office and to address any concerns you may have with Annette Hernandez, Director of EEO in room 517 or by e-mail at [ahernan@comptroller.nyc.net](mailto:ahernan@comptroller.nyc.net).